

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE BARRY WHITE FAMILY TRUST U/A/D:	:	24cv7509 (DLC)
DECEMBER 18, 1980, BY ITS DULY	:	
EMPOWERED TRUSTEES,	:	<u>ORDER</u>
	:	
Plaintiffs,	:	
	:	
-v-	:	
	:	
JOE COOLEY, RODNEY DAVID OLIVER p/k/a	:	
RODNEY-O, d/b/a NOT INTRESTED	:	
PUBLISHING,	:	
	:	
Defendants.	:	
	:	
-----	X	
DENISE COTE, District Judge:		

An Order of April 25, 2025 set a schedule for this action. This Order addresses correspondence from the parties that has been filed since May 1. It is hereby

ORDERED that the plaintiffs' counsel having filed a proposed protective order and confidentiality agreement on Friday, May 16 (ECF No. 94), the defendants shall file any requests for amendments by Friday, May 23.

IT IS FURTHER ORDERED that requests to consolidate this action with other actions which have been or will be filed in this District, including the requests made on May 1 (ECF Nos. 86 and 87), are denied as premature. Should a party file another action by paying the required filing fee or by obtaining approval to proceed in forma pauperis, the

newly-filed action must be served on the defendants. Should a party request consolidation at that time, all parties to the newly-filed action and this action will be given an opportunity to be heard on the issue of consolidation.

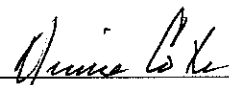
IT IS FURTHER ORDERED that defendant Oliver's May 8 motion to compel (ECF No. 92) is denied. The parties were required to serve their document requests on other parties by May 16. A motion to compel may only be filed if a party fails to produce the requested material within the time permitted by the Federal Rules of Civil Procedure, this Court's Orders, or the parties' agreement. The parties are reminded not to file their discovery requests or responses with the Court; the materials are to be exchanged among the parties only. Moreover, materials in civil litigation are generally exchanged after the parties have negotiated and executed a protective order, which is then submitted to the Court.

IT IS FURTHER ORDERED that defendant Oliver's May 8 request (ECF No. 92) to compel Sony Music or Epic Records to release funds to him is denied. Neither organization is a party to this litigation. The Federal Rules of Civil Procedure govern the conditions for taking discovery of non-parties. The request to compel production of documents by either Sony Music or Epic Records is also denied.

IT IS FURTHER ORDERED that by Friday, May 23 any party must advise the Court if it requests a jury trial. It appearing as of now that no party requests a jury trial, if no request for a jury trial is made by May 23, an order shall issue setting out a schedule for the filing of materials in October 2025 related to a non-jury trial to be held in November.

IT IS FURTHER ORDERED that the plaintiffs' May 6 request for a conference (ECF No. 88) is denied without prejudice to renewal.

Dated: New York, New York  
May 20, 2025

  
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DENISE COTE  
United States District Judge